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Attorneys for Defendants CBOCS Properties, Inc., et al.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

WELLSHIRE FARMS WEST, INC.,
WELLSHIRE FARMS, INC.

Plaintiffs,

v.

CBOCS PROPERTIES, INC.,
CBOCS PROPERTIES, LLC and
CRACKER BARREL OLD COUNTRY
STORE, INC.,

Defendants.

Civil Action No.: 16-04444 (JBS) (JS)

AFFIDAVIT OF FLOYD A. MANDELL

STATE OF ILLINOIS)
)
COUNTY OF COOK)

Floyd A. Mandell, being duly sworn, deposes and says:

1. I am a member of the firm of Katten Muchin Rosenman LLP, a limited liability partnership with its principal office in Chicago, Illinois. I submit this certification in support of my motion for admission *pro hac vice* to the Bar of this Court in accordance with L. Civ. R. 101.1(c).

2. I am a member in good standing of the Bar of the State of Illinois. A true and correct copy of my Certificate of Standing is attached hereto as Exhibit A and incorporated herein by this reference. I am also a member of good standing of the Bar of the United States District Court for the Northern District of Illinois. I have never been under suspension or disbarment, or the subject of any application that would render me ineligible for admission to the Bar of this Court.

3. I have been retained as counsel for defendants CBOCS Properties, Inc., CBOCS Properties, LLC and Cracker Barrel Old Country Store, Inc. ("Defendants") in the above-captioned action. I respectfully request permission to appear *pro hac vice* on behalf of Defendants. I am familiar with these actions and will be fully prepared to represent Defendants in all proceedings before this Court.

4. Beth Anne Powers, Esq. of Ryder, Lu, Mazzeo & Konieczny LLC, attorneys for plaintiffs Wellshire Farms West, Inc. and Wellshire Farms, Inc., has consented to this motion.

5. I understand that, pursuant to L. Civ. R. 101.1(c)(2), I am required to make payment to the New Jersey Lawyers' Fund for Client Protection as provided by New Jersey Court Rule 1:28-2(a). This payment shall be made for any year in which I continue to represent a client in these cases.

6. I understand that, pursuant to L. Civ. R. 101.1(c)(3), I am required to make a payment of \$150.00, payable to the Clerk of the United States District Court.

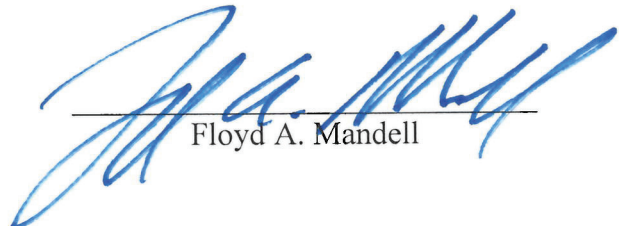
7. I understand that only an attorney at law admitted to this Court may file papers, enter appearances for parties, sign stipulations, or sign and receive payments on judgments, decrees, or orders.

8. I understand that if I am admitted to appear and participate *pro hac vice*:

- a. I shall abide by the rules governing the court of the State of New Jersey, including all disciplinary rules;
- b. I shall consent to the appointment of the Clerk of the Supreme Court of the State of New Jersey as an agent upon whom service may be made for all actions against me and/or my firm that may arise out of my participation in connection with these matters;
- c. I shall notify this court immediately of any matter affecting my standing at the bar of any other court;
- d. I shall have all pleadings, briefs, and other papers filed with this court signed by an attorney of record authorized to practice in this state;
- e. No delay in discovery, motions, trial, or any other proceeding shall occur or be requested by reason of my inability to be in attendance; and
- f. Automatic termination of my *pro hac vice* admission will occur for my failure to make the required annual payment to the Ethics Financial Committee and the New Jersey Lawyers' Fund for Client Protection, proof of which payment shall be made by certification to the court no later than February 15th of each year.

9. Accordingly, I respectfully request that this Court grant my admission *pro hac vice* to appear and participate in these actions.

I certify under penalty of perjury that the foregoing statements made by me are true.


Floyd A. Mandell

Sworn to before me this
3rd day of October 2016


Notary Public

